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## Minutes

**Bureau of Pipefitters, Refrigeration Technicians and Sprinklerfitters  
Department of Public Safety, Bldg B, 1380 Bay St., Taunton, MA 02780  
January 18, 2012, at 10:00 a.m.**

1. Meeting called to order by the Chairman at 10:05 a.m., followed by roll call:

### Board Members Present:

Henry Geryk, Chairman  
Mark Fortune  
Michael Torchio  
Dan Dumont  
Leo Fahey  
Frank Norton  
Jennifer Revill  
John Viola  
William Young  
William Gallagher

### Board Members Not Present:

Pauline Lally

### Guests Present:

Jay Johnson, Chief of Inspections  
Brian Logan, Supervisor, District Inspectors  
Mark Sullivan, District Inspector  
Cesar Lastra, Technical Code Coordinator  
Holly Bartlett, Clerical Assistant

2. A motion to approve the agenda into was made by Mark Fortune, seconded by Jennifer Revill, and agreed upon by a unanimous vote.
3. A motion to enter into record the minutes from the September meeting was made by Mark Fortune, seconded by Dan Dumont, and agreed upon by a unanimous vote.
4. An application from Leonard L. Williams, Jr to sit for Sprinkler Journeyman was presented to the Bureau. It was pointed out that this applicant is not qualified to take the SJ exam per 528 CMR, but that he holds a journeyman's license from Rhode Island. John Viola pointed out that it is typical of LU 669 to have an apprentice program, that the applicant has been a member of Local 669 for 22 years, and although the applicant did not provide additional documentation he has probably been through an apprentice program, and that he does hold a valid RI license. **A motion to approve this application was made by John Viola, seconded by Mark Fortune, and approved by a unanimous vote.**
5. The matter of whether DPS district engineering inspectors should have the authority to approve applications to sit for journeyman/technician exams in cases where the applicant does not have the required time/education, but does hold an out-of-state license. The Chairman has added this to agenda, as he had been told in the past that district engineering inspectors *could* approve applications in cases

where the applicant holds a valid license in another New England state, and is seeking clarification on this. Members of the Bureau confirmed that in order for out-of-state license holders without the experience and education required by 528 CMR to be approved to sit for a technician/journeyman exam, their application must be approved by a majority vote of the Bureau, per the regulation. It was further clarified that under no circumstances would an out-of-state contractor be approved to sit for a Massachusetts contractors license without the required experience and education.

During this discussion, the status of the proposed changes to 528 CMR was brought up. **\* Holly will verify with DPS legal what the current status is, what will happen next, and pass this information along to the Bureau members.**

6. The Chairman brought up the matter of what the total number hours required to test for Refrigeration Contractor is. It was clarified by members of the Bureau that the current regulations require 100 hours of 'advanced' refrigeration technician theory, but that the wording has been changed in the proposed regulations to read 'additional' refrigeration technician theory. Also, it was pointed out that no approved schools currently offer such training, but that the Peterson School was looking into developing a course to fit this requirement. The Chairman then pointed out that CMR training requirement for RC testing also includes 100 hours training for each of two code requirements. Interpretation of the paragraph of the regulation containing the requirement was discussed.
7. The list of schools approved to provide the 'additional' training required for RC candidates as posted on the DPS website was addressed. It was pointed out that the Bureau no longer approves schools for this list, and that there is nothing in statute or regulation that requires the Bureau to do so, nor is there any criteria provided for the Bureau to make such approvals. If there is not a school listed that provides the specific training needed by RC candidates, a candidate could consult 528 CMR to determine which codes they need training, and go to a school that provides training specifically in those codes. It was also pointed out that the list of approved schools as posted on the DPS website specifically says that the schools listed have been approved by the Bureau; without express authority for the Bureau to grant such approval, should the wording on this list be changed? It was agreed to that authority to and responsibility for approving schools/programs lies with the Department of Public Safety.
8. DPS Website FAQs. The Bureau members reviewed a printout of the FAQs currently posted on the DPS website.
9. Old Business:
  - a. Bill Gallagher brought up the matter of the letter which allows refrigeration technicians to disconnect/connect certain gas valves when doing refrigeration work, and what role, if any, the Board of Boiler Rules plays in this policy. Brian Logan, who is on the Board of Boiler Rules, did not recall the letter, but will check into this. **\* This matter will be re-addressed at the next meeting.**
  - b. Leo Fahey followed up on the status of new state inspectors being hired, which was discussed at the last meeting. Brian Logan explained that the legislation allowing for new inspectors is still pending, along with the revision of 528 CMR. Mr. Fahey went on to ask if these new inspectors would be primarily for the mechanical trades, and what the prerequisites for these positions would be. Brian Logan replied that the legislation would have to be approved before the Department could begin to consider details regarding these positions.

## 10. New Business

- a. The matter of reviewing licensing exam questions was discussed. The Chairman suggested that the Bureau hold off on such a review until the new regulations have been promulgated.
- b. The Chairman addressed the matter of the new licensing software being used by the Department, going on to say that as the new program should improve the information available on the license look-up feature of the DPS website. Mark Fortune noted that there has already been an improvement in the information being posted on the website, and that the new procedure of using RMV photos should help to reduce the potential for licenses being 'sold'.
- c. Frank Norton brought up the matter of 'checks and balances' to ensure contractors are properly licensed, and that entities operating as a 'corporation' is employing a properly licensed contractor. Mark Fortune responded that anyone can check the 'corporations' listing on the Secretary of State's website. Brian Logan acknowledged that DPS does not cross reference contractor applications with the Secretary's office to ensure a corporation exists. Mark Fortune asked if would be viable for state inspectors to include ensuring that proper licensing is marked on the company vehicle. Further discussion ensued as to how to ensure enforcement of the Massachusetts licensing regulations. Brian Logan explained that new legislation currently pending includes the capability for inspectors to issue tickets for certain fines.

11. With no remaining topics on the agenda, a motion was made by Jennifer Revill, seconded by Frank Norton, to adjourn this meeting at 11:45 a.m., motion passed by a unanimous vote.

*\*Action items to be addressed at the next meeting are indicated by an asterisk*

**The next meeting of the Bureau of Pipefitters, Refrigeration Technicians, and Sprinklerfitters will tentatively be on Wednesday, February 15, 2012.**